

REMARKS/ARGUMENTS

Before this Amendment, claims 1-13, 15, 16, 19 and 20 were present for examination. Claims 1, 9, 16, and 19 are amended, while claims 2, 10, and 20 are canceled. No new claims are added. Therefore, claims 1, 3-9, 11-13, 15, 16, and 19 are present for examination, and claims 1, 9 and 16 are the independent claims. No new matter is added, as support for the amendments can be found in the Specification (Original Application, p. 6, l. 25 - p. 7, l. 25; Figs. 4-7). Applicant respectfully requests reconsideration of the claims, as amended.

The Final Office Action dated May 18, 2006 (Final Office Action) rejected claims 1, 3-5 and 8 under 35 U.S.C. §102(e) as anticipated by the cited portions of U.S. Patent No. 6,728,354 to Fleck et al. ("Fleck"). The Final Office Action rejected claim 2 under 35 U.S.C. §103(a) as unpatentable over Fleck in view of U.S. Patent 7,031,453 to Busardo ("Busardo"). The Final Office Action rejected claims 6 and 7 under §103(a) as unpatentable over Fleck in view of the cited portions of U.S. Patent 6,714,637 to Kreda; and claims 9-13, 15, 16, 19 and 20 under §103(a) as unpatentable over Fleck in view of the cited portions of U.S. Publication 2002/0094076 to Chen ("Chen").

35 U.S.C. § 102/103 Rejections, Fleck, Chen, Busardo

The Final Office Action rejected independent claim 1 under 35 U.S.C. §102(e) as being anticipated by Fleck. For a valid anticipation rejection, the Office must show that each limitation from the claims appears in a single piece of prior art.

The Final Office Action rejected independent claims 9 and 16 under 35 U.S.C. §103(a) as being unpatentable over Fleck in view of Chen. To establish a *prima facie* case of obviousness, the prior art references must "teach or suggest all the claim limitations." MPEP §2143.

However, none of the cited references can be relied upon to teach or suggest the limitations of the amended claims. Specifically, there is no teaching or suggestion that the pre-recorded voice announcement be recorded at, and received from, a point geographically separate

from the terminal location, as recited in independent claim 9. Independent claims 1 and 16 contain similar limitations.

The Final Office Action specifically concedes that "**Fleck fails to disclose wherein the pre-recorded voice announcement is received from a point geographically separate from the terminal location**" (emphasis added, Final Office Action, p. 4, sec. 2, 2nd para., *discussing* claim 2). Claims 1 and 9 are amended to include this limitation; claim 16 is amended to include a similar limitation as well.

The Final Office Action, however, asserts that Busardo does teach this limitation (Final Office Action, p. 4, sec. 2, 3rd para., *citing* Busardo col. 5, l. 6 - col. 6, l. 45, Fig. 4, *discussing* claim 2). But Busardo merely describes "audio files" in a very general fashion. Busardo seems to suggest that a service provider provides a subscriber with "a selection of audio files for the subscriber to" correlate to telephone numbers (Busardo, col. 5, ll. 26-32). A generalized audio file clearly differs from the claimed voice announcement. There appears to be no teaching of how, for example, a voice announcement would be recorded at a point remote from the terminal location, as the claims suggest.

Busardo describes a method of associating a generalized audio file with a telephone number, and playing the audio file as the ring signal when the telephone number calls. The claimed embodiments differ in that they describe a pre-recorded *voice announcement*. Additionally, claims 9 and 16 describe recording the voice announcement at a point separate from the terminal location, which is yet another limitation not disclosed in the references.

Independent claims 1, 9, and 16 are allowable for at least the reasons cited above. Dependent claims 3-8, 11-13, 15, and 19 each recite limitations in addition to those in the independent claims, and these claims are believed allowable at least because of their dependence from an allowable base claim. Withdrawal of the rejection is respectfully requested.

Traversal of Certain Characterizations

The Final Office Action appears to characterize certain limitations from the dependent claims as "well known in the art" because they are alleged to be found in one of the cited references. Applicant respectfully traverses any suggestion that the dependent claim limitations are "well known in the art" merely on this basis (Final Office Action, secs. 2-4).

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance and an action to that end is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 303-571-4000.

Respectfully submitted,



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